

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**  
**CHARLESTON DIVISION**

IN RE: ETHICON, INC.,  
PELVIC REPAIR SYSTEMS  
PRODUCTS LIABILITY LITIGATION

MDL NO. 2327

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THIS DOCUMENT RELATES TO THE CASE(S)  
ON THE ATTACHED EXHIBIT(S)

**ORDER**  
(Dismissing Certain Defendants with Prejudice)

Pending in MDL 2327, 2:12-md-2327 [ECF No. 7838] is a Joint Motion to Dismiss Defendants with Prejudice filed by plaintiff(s), identified in Exhibit(s) A, and C. R. Bard, Inc., (“Bard”), and Sofradim Production SAS,<sup>1</sup> Tissue Science Laboratories Limited,<sup>2</sup> and Covidien LP<sup>3</sup> (collectively “Covidien”). The Motion seeks an order granting dismissal of Bard and Covidien as defendants in these actions(s) with prejudice because all claims between them have been compromised and settled, including all claims, counterclaims, cross-claims and third-party claims.

The court **ORDERS** that:

- (1) the Joint Motion to Dismiss Defendants with Prejudice is **GRANTED**; and,

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<sup>1</sup> Sofradim Production SAS includes any incorrect or incomplete spellings of this Defendant, including Sofradim Corporation, Sofradim Corp., Sofradim Production, and Sofradim Production, SAS.

<sup>2</sup> Tissue Science Laboratories Limited includes any incorrect or incomplete spelling of this Defendant, including Tissue Sciences Laboratories, Tissue Science Laboratories Ltd., Tissue Science Laboratories, Inc., Tissue Science Laboratories, Limited and Tissue Science Laboratories, Ltd.

<sup>3</sup> Covidien LP includes any incorrect or incomplete spellings of this Defendant, as well as any improperly named affiliates of this defendant, including Covidien Holding, Inc., Covidien Inc., Covidien Incorporated, Covidien International Finance, SA, Covidien LLC, Covidien Ltd., Covidien Trevoux, SCS, Covidien plc, Covidien, Inc., Covidien, LLC, and Covidien, PLC, Tyco Healthcare Group LP, TYCO Healthcare, Tyco Healthcare Group, L.P., Tyco International Ltd, United States Surgical Corporation, United States Surgical Corp., Floreane Medical Implants SA, Floreane Medical Implants, SA, Mareane, SA, Mareane SA, Medtronic PLC, Medtronic International Technology, Inc., Medtronic MiniMed, Inc., Medtronic Puerto Rico Operations Co., Medtronic Sofamor Danek USA, Inc., Medtronic Sofamor Danek, Inc., USA, Inc., Medtronic USA, Inc., Medtronic, Inc. and Medtronic, Inc.

(2) the Bard and Covidien defendants are **DISMISSED WITH PREJUDICE** from the action(s) listed on the attached Exhibit(s) A;

(3) if there are no remaining defendants in a civil action, then (a) that civil action is dismissed and stricken from the docket and (b) any pending motions are **DENIED** as moot.

The court **DIRECTS** the Clerk to:

(1) dismiss the Bard and Covidien defendants from the individual civil action(s) with prejudice;

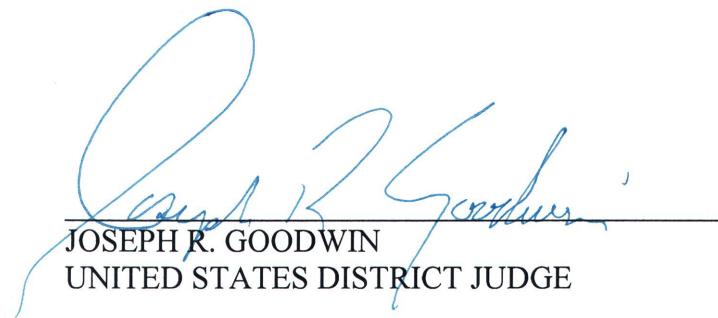
(2) if no other defendants remain in an individual action, then (a) strike the action from the docket, and (b) close the case;

(3) file a copy of this Order in MDL 2327 and in each individual case on the attached Exhibit(s);

and,

(4) send a copy of this Order to counsel of record and any unrepresented party.

ENTER: April 18, 2019



JOSEPH R. GOODWIN  
UNITED STATES DISTRICT JUDGE

A handwritten signature in blue ink, appearing to read "Joseph R. Goodwin", is written over a horizontal line. Below the signature, the name "JOSEPH R. GOODWIN" is printed in capital letters, followed by "UNITED STATES DISTRICT JUDGE" on a separate line.

**EXHIBIT A – FITTS LAW FIRM**

| <b>CIVIL ACTION NUMBER</b><br>(listed numerically in ascending order) | <b>Case Name</b> |
|---|------------------|
| 2:17-cv-00401   | Davis, Karlen    |